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Guam

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I. Background information

A. Geography and population

1. Guam[1] is the southernmost and largest of the Mariana Islands in the Pacific, situated about 1,350 miles south of Tokyo and 3,700 miles west-south-west of Hawaii. It consists of a single island of approximately 212 square miles. It comprises two distinct geological areas of about equal size. The northern part of the island is a high coralline limestone plateau and contains the northern water lens, capable of supplying plenty of fresh water. The southern region is mountainous. Apra Harbour, which is located on the central western side of the island, is one of the largest protected harbours in the Pacific and is considered to be the finest deep water port between Hawaii and the Philippines. The capital city of Guam is Hagåtña, changed from Agana in June 1998 by the Congress of the United States of America at the request of Guam's delegate. Hagåtña more precisely reflects the indigenous Chamorro language pronunciation.

2. According to the United States Census Bureau's official census, the population of Guam in 2000 was 154,805, an increase of 21,653 (16 per cent) since the 1990 census.[2] These figures included 3,764 births and 648 deaths.[3] According to the census, the ethnic and racial composition of Guam's population is 37 per cent Chamorro (who are indigenous to the Territory), the population from the Freely Associated States amounts to 11,094, an increase of 128.18 per cent since 1990 and 61,172 from other Asian countries, an increase of 30.91 per cent since 1990, with the largest group being Filipinos (40,729). On the other hand, the white population was 10,509, a 43.33 per cent decrease since 1990. English and Chamorro are the official languages.

3. Most of the population are Christians, principally (90 per cent) Roman Catholic. Other major religious denominations are Baptist, Seventh-Day Adventist, Latter-day Saints and Episcopalian. There are some Jews, Buddhists, Muslims and Jehovah's Witnesses.[4]

II. Constitutional, legal and political issues

A. General

4. Guam was administered by the United States Department of the Navy until 1950, when the United States Congress enacted the Guam Organic Act, which established institutions of local government and made Guam an organized Territory. Since then, the Territory has been administered by the Department of the Interior. Guam is an unincorporated Territory since not all provisions of the United States Constitution apply to the island. As an unincorporated Territory, in United States law Guam is a "possession of the United States but not a part of the United States".

B. Constitutional structure

5. Guam has a locally elected Government, which comprises separate executive, legislative and judicial branches. Universal suffrage with respect to local elections applies to Guamanians 18 years and older. Guamanians are citizens of the United States, but are not eligible to vote in the United States presidential elections while resident in the Territory. The people of Guam elect a Governor, who serves a four-year term. Guam elected its first Governor in 1970. The Governor is responsible for the general supervision and control of the executive branch and submits an annual report to the Secretary of the Interior for transmission to Congress. The Governor may issue executive orders and regulations, recommend bills to the Legislature, make his views known to that body and veto legislation.

6. The people also elect 15 senators (as of 1998, when the people of the Territory voted in a referendum to reduce the size of the Legislature from 21), who serve two-year terms in a unicameral Legislature. The Legislature may override the Governor's veto. Under the Organic Act of 1950, the United States Congress reserves the authority to annul any law enacted by the Guam Legislature.

7. In 1972, a new law gave Guam one non-voting delegate to the United States House of Representatives. The delegate, who serves a two-year term, may vote in committee but not on the floor of the House.

C. Legal system

8. The local judicial system is made up of a Superior Court and a Supreme Court led by judges appointed by the Governor and confirmed by the Legislature. Local judges are subject to confirmation by the voters every six years. A District Court judge, appointed by the President of the United States, is the head of the United States District Court for Guam. In 1998, Congress adopted an amendment to the Organic Act allowing the Guam Legislature to elect its own attorney-general in 2002.

9. In February 2001, Guam's delegate to the United States Congress, Robert Underwood, reintroduced a bill, the Guam Judicial Empowerment Act, which would create a Guam Supreme Court that was separate from the Legislature's statutory management. The bill would also make the Supreme Court the ultimate appellate authority on Guam and the administrative authority over the judicial system. Currently, the Guam Supreme Court is a government agency created by the Legislature, while the Superior Court administers the judicial branch. According to Congressman Underwood, this arrangement makes the Supreme Court susceptible to political interference, while his bill would create clearer lines of separation between the judicial and legislative branches. Versions of the bill have been proposed in the past, but they were blocked in committee by a chairman who believed that Guam should resolve the issue by adopting a Constitution rather than by amending the Organic Act, which the proposed bill would do (see para. 14 below).[5]

D. Political parties and elections

10. Guam has two main political parties, the Republican Party and the Democratic Party, which are local chapters of the two main United States political parties. In the most recent election, in November 1998, Democrat Carl T. C. Gutierrez won re-election to the post of Governor against Republican candidate Joseph Ada, while the Republican Party won 12 of the 15 seats in the Guam Legislature.

E. Political issues

11. Guam has long been seeking to change its political status relative to the United States. In a 1976 referendum, Guamanians decided to maintain close ties with the United States, but to begin negotiations to improve the Territory's status. In 1979, the people of Guam rejected a draft constitution by a margin of five to one, mainly on the grounds that the question of political status had to be resolved before a meaningful constitution could be drafted.[6] In a 1982 run-off referendum, 73 per cent of voters opted to pursue commonwealth status with the United States. According to the Commission on Self-Determination, established in 1984 to draft a commonwealth agreement, this status was intended to be an "interim" status that would provide an opportunity for Guam to structure a better relationship with the United States.

12. In May 1986, the Commission on Self-Determination completed a draft Commonwealth Act, which, after a public education campaign, was submitted to an article-by-article vote on 8 August 1987 (see A/AC.109/1192, paras. 19-37). Voters approved the central proposal, but rejected articles empowering the Government of Guam to restrict immigration and granting the indigenous Chamorro people the right to determine the future political status of the Territory. In a further referendum in November 1987, both of these outstanding provisions were approved after they were amended and rewritten. A summary of the main points in the draft Commonwealth Act is contained in the 2001 working paper (A/AC.109/2001/4).

13. Negotiations between the Guam Commission on Self-Determination and the United States Government over the draft Commonwealth Act began again in 1989 and continued through 1997 without resolution (see A/AC.109/2000/6, paras. 19-22, A/AC.109/1192, paras. 19-37 and A/AC.109/2018, paras. 74-83). According to a statement made by Governor Gutierrez to the House Resources Committee of the 105th Congress in October 1997, the position of the United States executive branch with regard to the draft Act has essentially been that it was unconstitutional insofar as it did not recognize Congress' plenary authority over Guam.

14. In 1997, Guam public law 23-147 established a Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination. This Commission, in concert with a process of registration of eligible voters by the Guam Election Commission, was to oversee the conduct of a vote on the Chamorro people's status preferences of independence,

integration or free association in accordance with international standards. Guam's political leaders agreed to delay this process in 1997 and 1998 while congressional consideration of the draft Guam Commonwealth Act was under way.

15. In 2000, the Guam Legislature provided the Guam Election Commission with the power to set the date of the decolonization plebiscite. The plebiscite would ask the Territory's indigenous people, defined by law, as persons or descendants of persons who were in Guam at the time of the United States ratification of the Treaty of Peace with Spain in 1898, and/or persons or descendants of persons who received United States citizenship pursuant to the Organic Act of 1950, to choose between statehood, independence or free association with the United States. The plebiscite would be non-binding but would set the course of any future status negotiations with the administering Power. The plebiscite has been postponed several times since 1997, because of funding problems, and to provide adequate time for the registration of voters and the conduct of an education campaign. The plebiscite is now scheduled for September 2002 but might be further delayed for the same reasons. As of mid-January 2002, only 15 people out of 16,000 eligible to vote were listed on the Guam Decolonization Registry, which will be used to determine eligible voters for the plebiscite.[7]

16. As is described under the relevant sections below, Guam has been able to address some practical problems arising from its political relationship with the administering Power by sponsoring legislation in the United States Congress or petitioning the federal agencies for regulatory changes. Clauses related to the disposal of excess federal land in the Guam Omnibus Opportunities Act, and Food and Drug Administration regulation changes regarding the importation of betel nut,[8] are examples. This ad hoc approach, however, is relevant only to technical issues rather than structural ones. Furthermore, the approach depends on the disposition of the administering Power to consider the issues raised by Guam.

17. Another development during the review period with regard to Guam's political status was the reintroduction by Guam's representative to Congress of a bill, the Insular Area Oversight Avoidance Act, which would require the Office of Management and Budget to provide an explanation each time any of the Territories was excluded from Presidential initiatives or executive orders. According to the delegate, this measure would ensure that Territories would not be excluded as an oversight.[9]

III. Budget

18. In a recent legislative radio address, Speaker Tony Unpingco stated that, for the preceding three years, the Legislature had been forced to make budgetary decisions in the dark because of the absence of accurate financial information. According to him, the poor availability of crucial financial and economic data is in part caused by failed computerized financial data systems.[10] Some economic data will be collected and analysed by a team of economists of the University of Guam, the Bank of Guam and the Department of Labor so that policy makers would have a sound basis for making decisions concerning the economy.[11]

19. Most of the Government's revenues come from hotel occupancy and gross receipt taxes generated by activities in the tourism industry. The budget planned for fiscal year 2002 was $431 million but the economy of Guam was seriously weakened after 11 September 2001 because of the terrorist attacks, which caused a downturn in tourism, and the budget plans had to be revised. The revenues collected by the Government of Guam were $18 million below what was estimated for the first quarter of the fiscal year, and for the whole year a $60 million deficit was expected. To redress the situation, the Governor proposed a 10 per cent across-the-board salary reduction for all government employees and raising the gross receipts tax from 4 per cent to 6 per cent with an 18-month sunset provision.[12]

20. The Governor proposed that the Government of Guam borrow $427 million on the bond market for government retirement expenses. The pension bond money would be used to lower the Government's debt to its Retirement Fund and to lower the General Fund deficit. According to the Guam Economic Development Authority, this bond would more than double the Government's bond debt from $407 million to $834 million and push the island closer to the maximum allowed bond debt of $1.1 billion set by federal law.[13]

21. An independent year 2000 audit of how Guam spent its federal funds showed that the use of $38.3 million of that money was questionable and might have to be paid back.[14]

IV. Economy

A. General

22. The Guam economy is dominated by tourism, while the public sector (including the United States military) and construction remain important. Farming and fishing are relatively well developed. Vegetables, citrus and tropical fruits, coconuts and sugar cane are grown and livestock, especially poultry, is raised. Manufacturing include textiles, cement and plastics.[15]

23. According to the August 2001 Economic Report by the Bank of Hawaii on Guam, since 1999 the flow of public information on the economy has been limited severely, thus affecting the capacity of both the public and private sectors to make informed decisions. Among the causes of poor availability of economic data are the dismantling of the Guam Finance Commission and the lack of experienced staff in the Government of Guam.

24. Given the sketchy economic and financial data, according to the Bank of Hawaii report, there is no certainty with which to forecast any of the economic variables. Guam's economy slowed considerably in 1999, and has been in recession for three years. The end of 2001 was particularly difficult for Guam. Bankruptcies nearly doubled from 156 in 2000 to 287 in 2001, and 4,070 jobs were lost during 2001.[16] After 11 September 2001, Guam's economy fell into deep recession. Government revenues in the first quarter of fiscal year 2002 fell 20 per cent below the fiscal year 2001 figures and government receipts in the second quarter of the fiscal year were estimated to be 26 per cent below those of the same period in fiscal year 2001.

25. In the public sector, one-time structural changes that were implemented in 2000 will continue to affect economic indicators. These include, in particular, the downsizing of both the Government of Guam, through employee buyout and early retirement schemes, and the federal Government, through outsourcing of functions to the private sector. These measures have substantially reduced the size of the government sector's contribution to total economic output and are expected to add to a drag on the economy. The Government of Guam was reported to be saving about $700,000 per pay period as a result of its "early-out" initiatives, of which about 400 local government employees took advantage.[17] This downsizing of the Government of Guam has led to loss of experienced and trained staff, which has affected the provision of necessary services.[18]

26. The economy is still affected by the 1995 decision, in accordance with recommendations from the Base Realignment and Closure Committee, to shut down some military facilities on the island. According to one report, this caused a cumulative current dollar loss of $942 million between 1996 and 1999, and a loss of about 4,800 jobs (3,500 federal civil and 1,300 military).[19] There have been some meetings with civilian and military leaders about a potential increase in military activity on Guam.[20] It has been pointed out, however that these increases may not be financially significant in relation to the cost savings that resulted from the base closings in 1999. The stationing of three submarines in Guam by 2004 with an annual gross economic impact of approximately $7 million each (COMNAVMAR Briefing for members of the Guam Legislature, February 2001) and United States Marine Corps training activities on land that had earlier been slated for return to Guam represent the bulk of proposed increases in United States military activities.

27. In the private sector, an increase in revenues from tourism is possible in 2002, as the number of tourists is expected to increase after the serious downfall following 11 September. In the construction sector, many notable gains are foreseen in the near future.[21]

28. The economy of Guam is also influenced by global economic trends, and in particular by the economies of the United States and Japan. Given the importance of tourism to the Territory's economy, and the importance within the tourism sector of the Japanese market, the Guam economy tends to follow Japan's business cycle rather than that of the United States; Japan provided 53.9 per cent of the imports in 1999 and more than 81 per cent of Guam's visitors in 2000 were Japanese.

29. Guam is a duty-free port that facilitates the movement of raw materials for manufacturing. It also participates in two major trade programmes designed to promote export-oriented manufacturing: the Harmonized Tariff Schedule of the United States and the Generalized System of Preferences. Nonetheless, the Territory consistently records a trade deficit. The Department of Commerce reported the value of Guam's total exports to be $86.4 million in 1998. Major export commodities are fish and crustaceans ($44.9 million), mineral fuels, oils and waxes ($15.2 million), tobacco

and manufactured tobacco substitutes ($5.6 million) and automobiles ($3.1 million). Imports were valued at $52.1 million for January 1998, $42.8 million for April 1998, $58.3 million for July 1998 and $47.9 million for October 1998.[22]

B. Primary economic sectors

1. Agriculture and fisheries

30. The agriculture and fisheries sector has played a small role in the economy of Guam, accounting for less than 1 per cent of total private sector employment. The fishing industry, which began a major expansion in the late 1980s, continued to be important within the sector. During the period under review, negotiations began with a Norwegian company that raises salmon and trout for the Japanese market. The $30 million investment under consideration is expected to create 120 jobs and spawn support industries without damaging the environment.[23]

31. According to the Department of Commerce,[24] in 1998, the latest available figures, the dollar value of agricultural products was $2,263,566. Included in this group were fruits and vegetables, poultry, pork, beef and eggs, all produced mainly for local consumption.

2. Manufacturing/industry

32. One of the major industries on Guam, and the third most important economic sector (after tourism and the public sector), is construction. Construction as a generator of employment remains significantly above the average for the United States. The construction sector has been declining during the last decade, and that trend continued in 2001. Construction sector jobs decreased from 3,950 in 2000 to 2,810 in 2001.[25]

33. New activity is expected in the construction sector during 2002. Current important building projects include a federally funded $20 million project to improve the local airport, construction of a Japanese satellite tracking station and a mostly federally funded project of a reported $31.6 million to repair damage to government facilities and infrastructure caused by the 7.0 magnitude earthquake of 13 October 2001.[26] Furthermore, $66.2 million was granted for Guam in the fiscal year 2002 Military Construction bill.[27] In order to infuse cash into the economy, the Government of Guam has also issued $65 million in bonds for highway projects and infrastructure upgrade[28] and another $25.5 million for capital improvement projects.[29]

3. Tourism

34. Guam's tourist industry as well as much of its economy is dependent on Japanese tourism. In 2000, 81.4 per cent of tourists to Guam came from Japan, 6.8 per cent from the Republic of Korea, and only 3.7 per cent from Hawaii and the mainland United States combined.[30] According to the Governor, Guam wishes to open a new market for tourists from China by establishing a high-tech biometrics pilot programme that will entail issuing special visitor's cards for Chinese tourists to enter Guam.[31]

35. Contrary to expectations (see A/AC.109/2001/4, paras. 34-35) the number of visitors to Guam decreased in 2001. According to the Guam Visitors' Bureau, in 2001 tourist arrivals totalled 1,159,426, a 10 per cent drop from 2000. This decrease was primarily caused by the drop in air travel after 11 September and the downturn in the economic situation in Japan. As a result, more than 4,000 private sector jobs were lost on Guam and government revenues fell drastically. For the year 2002, some positive signs are seen by Guam's tourism industry. The number of Japanese and Korean tourists travelling overseas is expected to rise in 2002. Korean Air resumed service to Guam after a four-year halt due to the crash of one of its airliners in 1997. Several other airline companies have announced additional flights to Guam, after having reduced the number of their flights following 11 September.[32]

36. Guam had a total of 10,084 hotel rooms in 2001, an increase of 65 per cent since 1991. In 2000, the hotel occupancy rate was 63 per cent, while 80 per cent is considered a long-term optimal rate for hotel companies. In 2000, $20.6 million was collected in hotel occupancy taxes.[33]

C. Finance

1. Local financial services

37. According to the Bank of Hawaii Economic Report, bank deposits were at $1.38 billion in 2000, up from the 1999 figure of $1.32 billion. In 1997, the figure was as high as $1.46 billion. Bank loans decreased from the 1999 figure of $3.0 billion to $2.78 billion in 2000.[34]

2. International finance

38. The Government of Guam has adopted policies and laws with a view to establishing Guam as a financial service centre in the Pacific.

39. In July 2000, the Governor signed the Guam-Based Trust Companies Act (public law 25-149), which clarified the definition of Guam-based trusts in order to provide confidence for potential investors as well as federal regulatory bodies. The law made it clear that, as Guam's banking system was regulated by both federal and local law, business entities in Guam would have to file tax returns, unlike in other domiciles that have been labelled tax havens.[35]

40. As a result of the Guam-based trust initiative, 42 special qualifying certificates have been issued and 14 are still pending, representing a total of $198.8 million, which is expected to add $2.3 million annually to Guam's revenue. The trusts generate revenue for the Government of Guam despite the fact that 100 per cent of taxes on income are rebated to the trust. According to the new law, the Government holds tax revenues for 180 days. The interest accrued during this time is retained by Guam, and the initial tax levied is subsequently rebated in its entirety to the trust. The law also requires the trust's administration to be in Guam.[36]

41. According to the Guam Organic Law, United States tax law applies to Guam. As a result, foreign direct income in Guam is taxed at 30 per cent. This federal rate is often reduced in the 50 states, however, under one of over 50 tax treaties to which the United States is a party, but to which Guam, as an unincorporated Territory, is not. A section of the Guam Omnibus Opportunities Act, submitted in 2000, sought to reduce this rate to 10 per cent by amending the Organic Act to treat Guam as part of the United States insofar as the application of tax treaty provisions was concerned. The administration considered that the measure required further discussion, in particular regarding its interaction with the Guam-Based Trust Companies Act described above.[37] The provision was not included in the final version of the Guam Omnibus Opportunities Act and so did not become law. In January 2000, the provision was reintroduced by Guam's delegate to the United States Congress, Robert Underwood, as a bill, the Guam Foreign Investment Equity Act, which incorporates changes recommended by the Treasury Department. The bill, if it becomes law, will allow foreign investment in Guam to be taxed at the same treaty-negotiated rate as the 50 states. The bill passed the House of Representatives in May 2001 and was referred to the Senate.[38]

D. Transport and communications

42. According to the Governor in his annual address,[39] the system of public roadways has undergone considerable improvement, relieving traffic congestion and providing benefits for small businesses and residents. In February 2001, the Governor initiated an island-wide transportation master plan that will involve several relevant government agencies. One of the tasks of the plan's implementers will be to determine whether to leverage annual federal highway funds and other grants to finance a massive overhaul of all main roads and transportation systems. This project, expected to cost $150 million, would also improve road safety and lower long-term maintenance costs.

43. The Port Authority of Guam administers the commercial port facilities at Apra Harbour. The Port Authority is a public corporation and an autonomous agency of the Government of Guam. Guam's port is a major trans-shipment centre of the western Pacific and is equipped to move containerized bulk and tuna cargo efficiently. The port has, in recent years, seen an average annual increase of 23 per cent in cargo. The Port Authority is expanding its container yard and is planning to spend $100 million in reconstruction activities up to the year 2005.

44. The Port Authority of Guam has been operating in deficit since 1996, according to port officials. It needs $10 million to replace two ageing cranes.[40]

45. The refurbishment of the Guam International Airport's runway system is beginning in 2002. The first phase of the federally funded runway extension and renovation project is launched to extend the length of the two runways and to build a new taxiway to add safety to the airport. The whole project is expected to last two years and cost $20 million.[41] At present, Guam International Airport is the most modern in the western Pacific.[42]

46. RCA Global Communications and IT&E handle cablegrams, facsimile and telex messages and overseas telephone calls. The United States Postal Service handles mail delivery. Commercial mail delivery is also available through Federal Express and DHL. Guam has a daily newspaper, a newspaper published

three times a week, several weekly and monthly commercial publications and military journals. According to the Federal Communications Commission, there are currently 11 FM and 2 AM radio channels, 3 local television channels and one cable television service provider. The local television channels are capable of both analog and digital broadcasting.[43]

47. High-technology communications may represent an emerging growth sector for Guam. The Governor and Legislature have made information technologies a priority as part of a general effort to diversify the economy. Guam serves as major telecommunications hub for the Asia/Pacific rim: 41 telecommunications companies have offices in Guam, nine undersea cables go through Guam and a new undersea fibre-optic line will link Guam and Sydney, Australia.[44] A Japanese space satellite tracking station, being built on Guam by the National Space Development Agency of Japan, is expected to be ready in November 2002.[45]

48. The Government of Guam is currently privatizing the Guam Telephone Authority (GTA). The Government of Guam has set several requirements for the privatization, including a minimum $70 million cash bid, that the buyer assume GTA debt of $110 million with a federal agency and that the buyer also agree to keep more than 400 workers on the GTA payroll for five years.[46]

49. According to the Department of Commerce, there were 84,134 primary telephone lines registered in 1998. Of these, 43,444 were residential lines and 40,690 were business lines. Telephone Authority revenue in 1998 amounted to $37.8 million. Although revenues steadily increased between 1996 and 1998, it has remained below the peak of $41.2 million recorded in 1995.

E. Water system, sanitation and utilities

50. Approximately 74 per cent of the water supply is provided by the Guam Waterworks Authority. The remainder is produced by the Air Force and Navy installations on Guam. The Government's water sources are groundwater and surface water (Ugum River). The Navy water source is a surface reservoir (Fena Lake) in the southern part of the island. According to the Governor, the state of the water and sewerage system is poor. Leaks are frequent, posing significant health and environmental problems and inhibiting development. Furthermore, the 13 October 2001 earthquake was estimated to have caused $13.2 million in damage to the Guam Waterworks Authority.[47]

51. In his state of the island address, the Governor strongly advocated seeking a strategic private sector partner for the Guam Waterworks Authority. Preliminary discussions have been held between the local and federal governments about the possibility of unifying the three separate water and waste water systems of the Navy, the Air Force and the Guam Waterworks Authority.

52. The Guam Power Authority, an autonomous agency of the Government of Guam, is responsible for providing electricity throughout the island.

53. The privatization of the Guam Power Authority has begun. Private companies are operating several generators and private managers are scheduled to take over more power plants.[48] In November 2001, Hawaiian Electric Industries sold its wholly-owned subsidiary HEI Power Guam to Mirant, a global energy company based in the United States. HEI Power Guam had been originally formed to operate, repair and manage two 25-megawatt units in Guam for the Guam Power Authority.[49]

V. Military issues

54. Guam was administered by the United States Navy until 1950, and remains the site of extensive United States naval and air force installations. Petroleum storage, munitions stowage, extensive communications facilities and other service industries that cater to the military establishment form the basis of the military infrastructure in Guam.

55. The United States military presence and spending on Guam has decreased considerably during the last decade. In 2000, the Navy had about 4,000 military personnel, about 4,000 dependents and 2,000-3,000 contract civilian workers. The Air Force had about 1,800 military personnel, almost 2,200 dependents and less than 400 civilian workers (Air Force workers are "federal employees" as opposed to Navy employees who work for various contractors).[50] During the review period, it was reported that the United States military would transfer some Marine Corps drills from Okinawa, Japan, to Guam. The Marines would use the

old Air Force base on Guam for their training,[51] on property which the Air Force had earlier slated for return to Guam. The Navy is planning to homeport three Los Angeles class, fast-attack nuclear submarines in Guam. The first one, the *USS Corpus Christi*, is supposed to arrive in April 2002 and the second one, the *USS San Francisco*, in September 2002. Relocation of these submarines will add more Navy personnel to the base at Guam and some military construction for submarine repair and port facilities will also be done. The personnel of three submarines and the "submarine tender", the *USS Frank Cable*, which can perform nuclear vessel repairs, totals 650 persons and approximately $26 million in salary which would presumably be spent mostly within the military base.[52]

56. Following the terrorist attacks on 11 September, fighter jets and a guided missile cruiser were sent to Guam to protect the island from possible terrorist attacks.[53]

57. In March 2001, a survey conducted by the Guam Chamber of Commerce reported that 83 per cent of Guam's 445 registered voters supported an increase in military activity in Guam and agreed that it made "a positive contribution to Guam".[54]

VI. Land issues

58. As reported in previous working papers, the question of land use and ownership is a major and ongoing consideration on Guam. This question comprises two major issues: (a) the return of unused or underutilized lands held by the Department of Defense; and (b) the return of these lands to the original Chamorro landowners. The United States Government, principally its Department of Defense, currently holds title under United States law to over one third of the island. This land was condemned and acquired from private landowners by the Department of Defense during the years following the Second World War, when Guam was under the administration of the United States military, initially on a year-to-year lease between 1945 and 1950 and subsequently acquired by the United States Government through eminent domain procedures after the extension of citizenship. In 1994, Congress passed the Guam Excess Lands Act (public law 103-339) to return 3,200 acres to the people of Guam, which has begun to be implemented.

59. In February 2001, the Governor announced that 7,894 acres of excess land were being returned in title to the people of Guam and that the United States Air Force had announced that it would return a further 1,750 acres. He also noted the return by title of 1,806 acres at Tiyan in November 2000, which he said was the largest single transfer of federal property to the Government of Guam since the Organic Act in 1950. As reported previously (see A/AC.109/2000/6, para. 81, and A/AC.109/2001/14, para. 59) the procedure for returning excess military land allowed federal agencies to bid for land ahead of Guam. Congressman Underwood submitted legislation to correct this, the Guam Omnibus Opportunities Act, which was signed into law in November 2000. According to Congressman Underwood, the Act places Guam before other federal agencies with regard to bidding for excess lands. It also provides Guam with more flexibility by requiring the Government of Guam and the federal Fish and Wildlife Service to negotiate on the future management and ownership of lands in the wildlife refuge. This requirement gives Guam a greater, but not complete measure of control over these lands. As reported in previous working papers, the establishment of a wildlife refuge on 370 acres at Ritidian Point by the Department of the Interior had led to protests by Chamorro families. Discussions between officials of the Government of Guam and the United States Department of the Interior in 2000 to reach a compromise between original landowners and the Fish and Wildlife Service ended with no change of the latter's presence at Ritidian.

VII. Social conditions

A. General

60. The people of Guam are eligible to receive benefits under a variety of federal programmes, including Social Security, Medicare, aid to families with dependent children, aid to the blind, general assistance, old age assistance, aid to the permanently and totally disabled, food stamps and Medicaid. Territories, like states, may choose not to participate in grant programmes. Participation in these programmes requires accepting federal rules and guidelines and sometimes matching federal expenditures with local expenditures. In the case of Guam, such participation in addition to "matching federal expenditures with

local expenditures" requires that the Government of Guam pay nearly 80 per cent for many of the aforementioned programmes. Unlike states, which have a federal match based on the income level of the state, a cap has been established for Guam. Some of the "matching" programmes that are in effect in Guam and for which Guam pays a considerable share were eliminated in the United States in 1973 and replaced by the Supplemental Security Income (SSI) programme, which is federally funded.

61. In the absence of a Medicaid match (along with its federal requirements) Guam has established the Medically Indigent Program (MIP), fully funded by the Territory. This programme's cost in the fiscal year 2001 was over $25 million.

62. According to the 2001 census, 23 per cent of the population was living under the poverty line. Indicators of social assistance have been rising in recent years. According to the United States Food and Nutrition Service, participation in the food stamp programme rose from a monthly average of 5,609 households (17,783 individuals) in 1997 to 6,876 households (22,723 individuals) in 2001. The corresponding expenditures were $27.18 million and $35.88 million. In addition, the average monthly benefit per person rose from $127.38 in 1997 to $136.32 in 2001.[55] Total number of recipient families of Temporary Assistance for Needy Families in Guam almost doubled from 1,406 in January 1993 to 2,760 in June 2000.[56]

63. The Government of Guam's welfare expenses will rise sharply in July 2002, when more than 11,000 welfare recipients will be cut off from federally funded welfare programmes after having received welfare benefits for the maximum period of five years.[57]

B. Labour

1. General

64. The most recent figures available (March 2001) show that the total civilian labour force in Guam, in both the public and private sectors, is 69,560, of which 60,520 are employed. Unemployment was calculated at 13 per cent in March 2001. This is less than the unemployment rate of 14 per cent the previous year. However, unemployment did rise considerably after March. According to the Guam Department of Labor Employment Report, Guam lost 4,070 jobs during 2001, but the exact unemployment rate was not available at the time of writing.[58] Some private sector economists (Merrill Lynch and the Bank of Guam) have expressed the view that, if those who are no longer looking for employment are included, the unemployment rate is approximately 25 per cent (January 2002).

65. In 2001, over a quarter (28 per cent) of the workforce was in the service sector, of which over a third worked in hotels and other lodging places. The retail trade sector employed 20 per cent of the workforce, transportation and public utilities accounted for another 8 per cent, the construction sector for 7 per cent and the financial sector for 4 per cent. The rest of private sector employment is made up of wholesale trade (3.3 per cent), manufacturing (2.6 per cent) and agriculture (less than 1 per cent).

66. Some workers belong to unions based in the United States, such as the American Federation of Government Employees and the American Postal Workers Union. In 1991, 4,000 of 65,830 workers belonged to unions.[59] More recent figures on union membership are not available.

2. Public service

67. Both the Government of Guam and the federal Government in Guam undertook substantial downsizing measures in 2000. The Government of Guam undertook a buyout and early retirement programme, while the federal Government began outsourcing functions to private contractors. As a result, employment by the Government of Guam declined by 7.2 per cent from 13,540 to 12,560 jobs in fiscal year 2000. Federal jobs declined by 30.0 per cent, from 4,530 to 3,170 jobs in the same time period. The government sector now accounts for just over 26 per cent of total civilian employment. Between 1990 and 1999, the government sector's share averaged 30.0 per cent.[60] In 2001, the payroll of the Government of Guam grew by 140 and the federal Government payroll by 30 employees.[61]

68. A controversy arose in 2000 regarding the outsourcing of United States Navy jobs to a private company. In February 2000, the defence company Raytheon was awarded a $328.4 million contract to provide base operations support for United States Naval facilities on Guam (including administration, maintenance, supply, harbour operations, ordnance loading, etc.). Federal contract workers who had been

carrying out those functions were given the "right of first refusal" to the jobs under the Raytheon contract. According to Congressman Underwood, the wage rates offered by Raytheon were significantly lower than they had been under the Department of Defense. In April 2000, he and 28 other members of the House of Representatives called for the suspension of the implementation of Raytheon's contract until the wage question was re-examined.[38] As a result, the United States Department of Labor conducted a new survey, which concluded that Raytheon had based its wages on outdated wage scales. Consequently, the Department released updated scales that resulted in higher wages for nearly every outsourced job category.[62]

C. Education

69. Guam has an extensive public and private education system. The public education system includes the University of Guam, the Guam Community College, four public high schools, seven middle schools, and 27 elementary schools. The private system includes two business colleges, five high schools and several elementary schools. Most of these are affiliated with Roman Catholic and Protestant religious denominations. A new bill, the Guam Charter School Act, would allow the establishment of private charter schools independent from the Department of Education. According to the bill, if a student transfers from a public school to a charter school, 90 per cent of the public funds spent on that student will be transferred to the charter school.[63]

70. The University of Guam has master's degree programmes in eight subjects, operates a marine research laboratory and has an extensive collection of Pacific and Micronesian historical documents and material at the Micronesian Area Research Center. The University of Guam was placed on academic probation by the Western Association of Schools and Colleges in July 2000. The University was found not to have adequate library facilities or adequate financing. The Association recommended that the University ask for more funds from the legislature and that it prepare a financial plan. A team from the Association is expected to visit the University in spring 2002 to review the steps taken to address these and other accreditation concerns. If the University loses its accreditation, its degrees would be devalued and federal scholarships would be lost. After a lengthy period of leadership crisis, a new president was selected to lead the institution. The new president of the University, Harold Allen, plans to reach out to local businesses and government to raise money for the institution.[64]

71. According to the latest available statistics from the Department of Education, total school enrolment (public and private, but not including the Guam Community College) in 1998/99 was 39,405, of which 5,034 were enrolled in private schools. In the same period, there were 2,073 public school teachers. In 1999, 1,741 high school students graduated, prolonging a trend of steadily increasing graduates since 1994/95. In the same period, there were 2,385 full-time students enrolled in the University of Guam, out of a total enrolment of 3,784. The University also enrolled 265 students from former United States Trust Territories (the majority coming from Palau and Truk). Guam's operational budget for education in 1998/99 was $165 million (approximately $5,000 per student).

D. Public health

72. According to the World Health Organization,[65] the people of Guam enjoy a healthy status. Infant and maternal mortality rates are low. Virtually all births take place in a medical setting and most pregnant women receive prenatal care from a trained health care worker during pregnancy. Illnesses that contribute to population morbidity and mortality are generally related to lifestyle.

73. The United States Centers for Disease Control reported in March 2000 that there were 42 people living with the human immunodeficiency virus (HIV) and 24 with acquired immunodeficiency syndrome (AIDS). The rate of AIDS cases increased between 1998/99 and 1999/00 from 4.7 per 100,000 to 11.8 per 100,000.[66]

74. Guam has a 192-bed hospital, the Guam Memorial Hospital, and a United States Naval Hospital that serves military personnel and their dependants. In the mid-1990s, there were around 140 physicians and 30 dentists on Guam. According to the World Health Organization,[67] a reduction in human and financial resources has severely impacted the health system in Guam. In addition, the early retirement programme resulted in a decrease in experienced health workers.

75. Federal programmes approved by the United States Department of Health and Human Services apply

on Guam. The non-voting representatives of all United States Territories (American Samoa, Guam, Puerto Rico and the United States Virgin Islands) co-sponsored legislation in September 2000 to revise federal-local ratios for Medicaid payments in the Territories. Currently, the territorial Governments must pay 50 per cent of Medicaid costs, while the federal Government pays the other 50 per cent. The poorest states in the United States, however, enjoy a federal-local payment ratio of 75:25. The territorial representatives are requesting a 75:25 ratio on the grounds that all four Territories have lower per capita incomes than the poorest state. The bill would also remove caps on Medicaid spending. The cap of $5.4 million on federal Medicaid spending on Guam makes it increasingly difficult for the Government of Guam to match the required funds. Despite the efforts, the federal-local ratio for fiscal years 2002 and 2003 is set at 50:50.[68]

76. According to the Health Care Financing Administration's statistics, Medicaid spending in Guam in 2000 was $10.9 million, a slight decline from the peak of $11 million in 1996, but up from the $9.3 million in 1999.[69]

E. Housing

77. Among lands turned over to the Government of Guam by the United States military are those known as "crown lands", comprising six dormitories and 360 housing units. According to the Governor, these are to be turned into low- and moderate-income housing developments.[70]

F. Immigration

78. A major issue in the federal Government's relations with Guam is the migration from the freely associated states of the Marshall Islands, the Federated States of Micronesia and Palau. The Compact of Free Association Act of 1985, which established the relationship between the United States and the Federated States of Micronesia, and the Marshall Islands, authorized unrestricted migration from those Pacific island nations to the Territories and possessions. This enabled citizens of those islands to enter Guam and to lawfully engage in occupations as non-immigrant aliens.[71] These immigrants and their American-born children have settled in Guam, Hawaii and the Northern Mariana Islands. This has strained the resources of the recipient states and Territories.

79. In order to reimburse Guam and other compact Territories for the cost of providing government services for regional immigrants, the federal Government has issued compact impact funding. In 2001, Guam received $9.58 million and in 2002 Guam will receive $6.38 million from the federal Government to compensate Guam for costs incurred as a result of unregulated immigration from Micronesia.[72]

80. In addition, the immigration policies currently applied to Guam have resulted in a considerable growth in migration from countries, particularly the Philippines, into Guam. The 2000 census indicates that, while the Chamorro population stood at 65,243, the non-Chamorro population was 86,798.

81. Guam also has in place a special visa waiver programme to encourage tourism. According to this programme, citizens of certain foreign countries need not apply for a visa before visiting Guam, although the visa applies only to Guam, and not to the rest of the United States. The arrival of about 700 people from Myanmar in December 2000 caused the programme to be suspended for Myanmar citizens by the Immigration and Naturalization Service at the request of the Governor of Guam. People from Myanmar were arriving in Guam and immediately seeking political asylum in the United States, contrary to the purpose of the waiver programme.[73]

G. Human rights and related issues

82. The question of human rights on Guam is mostly centred on the rights of indigenous peoples. The 1990 census revealed that more than half the population of Guam consisted of immigrants. One effect of significant recent immigration to the Territory has been to raise the awareness of the Chamorros as a people with specific rights to be protected within the framework of Guam's status as a Non-Self-Governing Territory and as an indigenous people. This has in turn led to disagreement with the United States over its position on the draft United Nations declaration on the rights of indigenous peoples. In 1996, the twenty-third Legislature of Guam adopted resolution No. 469 (LS) stating that the people of Guam did not support or endorse the United States' position on the draft declaration and called upon the United States to

conduct a legitimate consultation with the indigenous Pacific peoples. According to statements made by the Governor of Guam and the Congressman, the differences revolve around the failure of the United States to recognize collective rights as distinct from individual rights (the latter being already guaranteed by the Universal Declaration of Human Rights), and in particular the collective right as an indigenous people to self-determination.[74]

83. The question of a recognized separate identity for the Chamorros impinges on the question of self-determination that was included in the Commonwealth Act and in the Guam laws that provide for a process of determining the preference for a decolonized status. Both the Commonwealth Act and the above-mentioned laws establish requirements for the eligibility to vote that correspond to the United States assumption of sovereignty in Guam. The United States opposes any restriction on eligibility to participate in Guam's self-determination process, arguing that the right of self-determination must be exercised by all the people of Guam, and that any limitation would violate the right for equal treatment under the law that is guaranteed by the United States Constitution. Under United States law, this equal protection requirement extends to any United States citizen who is resident in Guam for 30 days.

VIII. Environment

84. Guam continues to experience environmental problems related to the United States occupation during the Second World War (see A/AC.109/2001/4, para. 83). In 2001, press articles reported the discovery of high levels of polychlorinated biphenyls (PCBs) in fish taken from waters near the Navy's old landfill at Orote Point. Locals were advised not to eat seafood taken from the contaminated waters, because PCB chemicals are suspected of causing a wide variety of serious health problems. Fish samples were taken by officials to determine how far the PCBs had spread and what the source or sources of the pollution were. The Navy was also inspecting what health risks the residents of the nearby area might face if they ate contaminated seafood. The results had not yet been published at the time of writing.[75] In January 2002, the Navy agreed to pay $42,000 in fines and spend $380,000 to improve its waste management, after the United States Environmental Protection Agency found that the Navy Public Works Center had handled hazardous waste poorly in the year 2000.[76]

85. An important step to clean PCB-contaminated areas on Guam was taken in 2001, when the United States Environmental Protection Agency approved a rule allowing PCB-contaminated materials to be shipped from Guam and the other United States territories to the mainland United States for disposal.[77] Until that time the United States prohibited the importation of materials contaminated with PCB from Guam and other United States territories outside the United States customs zone. This effectively prevented the Department of Defense from moving its contaminated materials back to the United States for proper disposal.

IX. Relations with international organizations and entities

A. United Nations system

86. Guam is an associate member of the Economic and Social Commission for Asia and the Pacific. WHO carries out training projects in Guam. In addition, Guam has been involved in the Multilateral High-level Conferences on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific, which originated under the United Nations Convention on the Law of the Sea and related conventions.

B. Regional organizations and entities

87. Guam was a member of the Pacific Basin Development Council, based in Honolulu and dedicated to promoting the economic development of American Samoa, Guam, Hawaii and the Northern Mariana Islands. The group's board members were the Governors of Guam, the Northern Mariana Islands and American Samoa. On 30 September 2000, the Council was dissolved in order for a charter and new by-laws to be drafted. The group ran into financial problems when Hawaii withdrew in 1999.[78]

88. Guam is a member of the Secretariat of the Pacific Community, a 27-member organization dedicated to providing technical advice, assistance, training and research to promote the development of its members.

X. Future status of the Territory

A. Position of the territorial Government

89. In a statement to the Caribbean Regional Seminar, held in Havana, Cuba, from 23 to 25 May 2001, the Governor of Guam, Carl T. C. Gutierrez, said that the leadership of Julian Hunte, Minister for Foreign Affairs of Saint Lucia and Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, came at a critical time for those who remained on the list of Non-Self-Governing Territories and that they stood ready to work with the Chairman and the Special Committee to advance the movement towards self-government. He also thanked Peter Donigi of Papua New Guinea for his continuing efforts for meaningful dialogue on status issue, his interest in Guam and his visit to the island in 2000. He expressed the hope that discussions on the Question of Guam could commence as they had with American Samoa.

90. The Governor of Guam stated that, as the United Nations embarked on its Second International Decade for the Eradication of Colonialism, he was sure that the people in all the Non-Self-Governing Territories would agree that there was no substitute for their views when deciding their futures. It was also critical that full self-government be the objective of all efforts to remove a Territory from the list of Non-Self-Governing Territories. De-listing without achieving full self-government would simply push the issue of self-governance on to future generations. He said that Guamanians were Americans and they generally viewed their citizenship and the United States military interests in Guam as integral parts of their lives. Their goal was more meaningful participation in their relationship with the United States, to have more say in the laws, rules and regulations that governed them. Unfortunately, the United States Constitution, with all its liberties, was not written with America's small offshore islands in mind. He stood before the Seminar as a proud American, saved from the hells of war and carried from a concentration camp by an American soldier. Nothing could erase from his mind and soul the real freedom that was represented by the United States.

91. The people of Guam only wished to educate their fellow Americans about their desire for more meaningful participation and would continue to carry that message to the United States Government. Guam supported United States regional military activity on its territory. Such support was grounded in their own experiences; they knew what it was to be vulnerable and they enjoyed the security and protection of being part of the United States. Over the past decade, however, the United States military's impact on Guam's economy had been greatly reduced, from more than 8,000 civilian employees in 1992 to less than 2,000 currently. Up to 10,000 Chamorros had left their homeland in Guam as a direct and indirect result of those changes.

92. The Governor concluded his statement by urging the Special Committee to keep the playing field level between the world's largest nations and the world's smallest jurisdictions. On a level playing field, the agreements reached would be stronger and more likely to be lasting. He thanked the Special Committee for its work on the resolution adopted in 2000. It correctly defined the nature of their current discussions with the United States. It accurately reflected an end to discussions on a "commonwealth" and the directives under Guam law for a decolonization vote. Those were important clarifications and they appreciated the fact that those changes were endorsed by the General Assembly.

B. Position of the administering Power

93. In a statement made to the 82nd meeting of the General Assembly, on 10 December 2001 (see A/56/PV.82), the representative of the United States said that his country was fully supportive when countries chose independence and was proud to work with them on an equal and sovereign basis. For Territories that did not chose independence, however, the United States also supported the right of people in those Territories to a full measure of self-government, if that was what they chose. The United States reaffirmed its respect for their rights, which included the options of integration and free association. Given the vast variety of people, places and political circumstances that existed in the world, the United States believed that a single standard of decolonization should not be applied to every Territory and it called on all Member States to respect the choices made by the residents of Non-Self-Governing Territories.

94. In that regard, he said, the United States could not support the draft resolution on the implementation of

the Declaration on the Granting of Independence to Colonial Countries and Peoples. The draft resolution unfairly applied a single and narrow standard for decolonization. Indeed, for the United States, the term "non-self-governing" was of questionable applicability to those who were able to establish their own constitution, who elected their own public officers, who had representation in Washington, D.C., and who chose their own economic path. Moreover, he said, the United States could not agree with the implication in the draft resolution that the mere presence of military activities and bases in the Non-Self-Governing Territories was harmful to the rights and interests of the people of those Territories. The United States could not support language that would infringe on the sovereign right of the United States.

95. More detailed information on the position of the administering Power with regard to Guam's commonwealth proposal may be found in the previous working paper (A/AC.109/2000/6, paras. 101 and 102).

C. Consideration by the United Nations

96. On 10 December 2001, the General Assembly adopted, without a vote, resolution 56/72 B, section VI of which deals with Guam.

Notes

[1] The information contained in the present working paper was derived from published sources, including Internet sites.

[2] *Pacific Daily News*, 9 February 2002.

[3] National Centre for Health Statistics (www.cdc.gov/nchs).

[4] Department of the Interior, Office of Insular Affairs, *Fact Sheet*, 1998.

[5] *Pacific Daily News*, 9 February 2001.

[6] *Governing Guam Before and After the War*, Guam Political Status Education Coordination Committee, Agana, Guam, 1994, p. 137.

[7] *Pacific Daily News*, 20 January 2002.

[8] News release, Congressman Underwood, 9 September 2000.

[9] Ibid., 29 June 2001.

[10] *Pacific Islands Report*, 25 January 2002.

[11] *Pacific Daily News*, 2 October 2002.

[12] State of Our Island Address, Carl T. C. Gutierrez, Governor of Guam, 14 February 2002.

[13] *Pacific Daily News*, 22 January 2002.

[14] Ibid., 19 January 2002.

[15] *Encarta Online Deluxe* (www.encarta.com.au), "Guam".

[16] *Pacific Daily News*, 7 February 2002.

[17] Ibid., 9 January 2001.

[18] Bank of Hawaii, Economic Report on Guam, August 2001.

[19] *Guam Annual Economic Review, 1998-1999*, Guam Department of Commerce, Tiyan, p. 41.

[20] *Pacific Daily News*, 9 January 2002.

[21] State of Our Island Address, Carl T. C. Gutierrez, Governor of Guam, 14 February 2002.

[22] Ibid., pp. 34 and 35.

[23] State of Our Island Address, Carl T. C. Gutierrez, Governor of Guam, 3 February 2001.

[24] All Department of Commerce citations refer to statistics compiled on the Department's web site (www.admin.gov.gu/commerce).

[25] *Pacific Daily News*, 7 February 2002.

[26] Ibid., 25 January 2002, 25 July 2001.

[27] News release, Congressman Underwood, 22 September 2001.

[28] *Pacific Daily News*, 2 October 2001.

[29] Developing Guam, Second Quarter Report 2001, vol. 2, issue 2, Guam Economic Development Authority 2001.

[30] Bank of Hawaii, Economic Report on Guam, August 2001.

[31] State of Our Island Address, Carl T. C. Gutierrez, Governor of Guam, 14 February 2002.

[32] Ibid.

[33] Bank of Hawaii, Economic Report on Guam, August 2001.

[34] Ibid.

[35] *Pacific Daily News*, 6 July 2000.

[36] Developing Guam, Guam Economic Development Authority, Third Quarter Report, 2000, vol. 1, issue 3.

[37] Statement of the Deputy Assistant Secretary for Policy and International Affairs, United States Department of the Interior, to the House Committee on Resources, 13 April 2000.

[38] News release, Congressman Underwood, 21 January 2002.

[39] State of Our Island Address, Carl T. C. Gutierrez, Governor of Guam, 3 February 2001.

[40] *Pacific Daily News*, 6 May 2002.

[41] Ibid., 2 January 2002.

[42] Bank of Hawaii, Economic Report on Guam, August 2001.

[43] www.fcc.gov.

[44] http://www.privatize.gtaguam.com.

[45] *Pacific Daily News*, 25 July 2002.

[46] Ibid., 23 January 2002.

[47] Ibid., 10 December 2001.

[48] *Pacific Islands Report*, 7 May 2001.

[49] Ibid., 28 November 2001.

[50] Bank of Hawaii, Economic Report on Guam, August 2001.

[51] *Pacific Daily News*, 17 July 2001, 17 June 2001.

[52] News release, Congressman Underwood, 13 June 2001.

[53] *Pacific Islands Report*, 17 September 2001.

[54] *Pacific Daily News*, 21 March 2001.

[55] Food and Nutrition Service web page (www.fns.usda.gov/pd/fspmain.htm).

[56] The Administration for Children and Families web page (www.acf.dhhs.gov).

[57] *Pacific Islands Report*, 7 May 2001.

[58] *Pacific Daily News*, 7 February 2002.

[59] "United States External Territories: Guam", *The Europa World Year Book 2000*, 41st edition, vol. II.

[60] Bank of Hawaii, Economic Report on Guam, August 2001.

[61] *Pacific Daily News*, 7 February 2002.

[62] News release, Congressman Underwood, 23 August 2000.

[63] *Pacific Daily News*, 30 January 2002.

[64] Ibid., 6 November 2000.

[65] www.wpro.who.int, country profiles, Guam.

[66] www.cdc.gov/hiv/stats/hasr1201/table1.htm and table2.htm.

[67] www.wpro.who.int, country profiles, Guam.

[68] Centers for Medicare & Medicaid Services' web page (www.cms.hhs.gov).

[69] Ibid.

[70] State of Our Island Address, Carl T. C. Gutierrez, Governor of Guam, 3 February 2001.

[71] United States Department of the Interior, Office of Insular Affairs, *Report on the State of the Islands, 1999*, chap. 4.

[72] News release, Congressman Underwood, 12 October 2001.

[73] Agence France Presse report, 21 December 2000.

[74] Statement by Governor Gutierrez during the United States consultation with Pacific indigenous peoples, 21 August 1996.

[75] *Pacific Daily News*, 25 January 2002.

[76] Ibid., 11 January 2002.

[77] *Pacific Islands Report*, 8 June 2001.

[78] Ibid., 25 April 2000.